

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE**

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| <p>FUSION ELITE ALL STARS, SPIRIT FACTOR LLC d/b/a FUEL ATHLETICS, and STARS AND STRIPES GYMNASTICS ACADEMY INC. d/b/a STARS AND STRIPES KIDS ACTIVITY CENTER, Individually and on Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>VARSITY BRANDS, LLC; VARSITY SPIRIT, LLC; VARSITY SPIRIT FASHION & SUPPLIES, LLC; and U.S. ALL STAR FEDERATION, INC.,</p> <p style="text-align: center;">Defendants.</p> | <p>Case No. 2:20-cv-02600-SHL-cgc</p> <p>Jury Trial Demanded</p> |
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**PLAINTIFFS' NOTICE OF WITHDRAWAL OF MOTION TO COMPEL DISCOVERY
RESPONSES FROM VARSITY DEFENDANTS**

On May 5, 2021, Plaintiffs filed a Motion to Compel Discovery Responses from Defendants Varsity Brands, LLC, Varsity Spirit, LLC and Varsity Spirit Fashion and Supplies (DE# 105, the "Varsity Motion to Compel.").

Additionally on May 5, 2021, Plaintiffs filed a Motion to Compel Discovery Responses from Defendant U.S. All Star Federation, Inc. (DE# 102, the "USASF Motion to Compel") and the U.S. All Star Federation, Inc. also filed a Motion for Protective Order (DE# 103, the "USASF Motion for Protective Order").

On June 10, 2021, the Court set the Varsity Motion to Compel, the USASF Motion to Compel, and the USASF Motion for Protective Order for a hearing on June 24, 2021 (DE# 127).

The parties wish to advise the Court that the issues raised in the Varsity Motion to Compel have been resolved and Plaintiffs formally withdraw the Varsity Motion to Compel.

The issues raised in the USASF Motion to Compel and the related USASF Motion for Protective Order, however, remain pending and the parties intend to argue those issues at the June 24, 2021 hearing.

Respectfully submitted,

This 23rd day of June, 2021

/s/Benjamin A. Gastel

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CERTIFICATE OF SERVICE

The undersigned certifies the foregoing document was filed with the Court's Case Management/Electronic Case Filing System, this 23rd day of June, 2021, and served upon the following counsel:

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